

RAINIER CEMETERY DISTRICT

Regular Meeting

Wednesday, November 15, 2023

A regular meeting of the Board of Directors was called to order by Vice Board Chair David St. Onge at 5:04pm at the Cemetery office located at 24952 Alston Rd, Rainier, OR.

Call to Order and Flag Salute

Approval of Agenda

Director Hackenberg made a motion and Director McGlone seconded the approval of the agenda as presented.

Discussion:

Director Fletcher mentioned that timecards and payroll should not be discussed in public meetings.

Director St. Onge stated that he wants things approved separately; payroll is not a bill.

All in favor of those present.

Directors present: Rick Fletcher, Scott Falconer, Monica Hackenberg and Jim McGlone

Directors absent: None.

Staff present: Matt Fieken and Cyndi Warren

Public present: See attached sign in sheet.

Visitors Comments:

Director St. Onge asked who would like to speak.

Janice Carstensen asked to have the minutes read out loud; no action taken.

Janice Carstensen raised her hand, Jim Gibson raised his hand and Delyla Laughlin said maybe.

Jim Gibson gave each board member handouts; he stated that recordings of meetings are public record and that the recordings must be kept for one year if written minutes are available.

Mr. Gibson stated that if the meeting recordings are not made available to the public when requested that the next step would be circuit court.

Director Hackenberg asked if the board could authorize the purchase of their own recorder.

Director St. Onge stated that a Zoom system for public meetings was requested back in July but nothing has been done about it and that Rick Fletcher had a good system, but he has done nothing about it.

Mr. Gibson stated that the entire board can be held liable for the board chair's actions of not releasing the recordings for public records requests and that the board can vote to turn these recordings over.

Leona Zimmer, a member of the public, questioned Jim Gibson about why he needs these minutes and he stated they are public records.

Director Hackenberg stated that she shared your nice Facebook post about your (Jim Gibson's) Mother's service at a cemetery meeting.

Janice Carstensen spoke about the inappropriateness of discussing employee timecards and personal medical leave in a public meeting. The office manager's personal leave was discussed previously in a public meeting and that the board should provide an apology to Misty.

Director St. Onge stated that Director Fletcher wanted that information placed on the agenda; did you (Director Fletcher) and Jim (Director McGlone) speak with Misty? Both stated yes.

Director Fletcher stated that we should move on with the agenda as this is on the agenda later. Delyla Laughlin stated that regarding the recordings, maybe the board should visit with an attorney.

BOARD BUSINESS:

Director St. Onge thanked everyone for showing up.

Welcome New Member

Monica Hackenberg

Selection of Officers

Chairman, Vice-Chair, Treasurer, Secretary

Director Hackenberg states that Robert's Rules of Order says that Director St. Onge becomes the Chair as he was the Vice Chair when Judy Lepin, the Board Chair resigned, so the only opening is for Vice Chair and possibly Secretary.

Director St. Onge stated that Robert's Rules of Order states that his term is for year one and cannot be denied.

Director Falconer asked if that is automatically a one-year thing? Director St. Onge stated yes.

Director McGlone nominated Monica Hackenberg as Vice Chair and Director St. Onge seconded.

Director Falconer nominated Rick Fletcher as Vice Chair and Director Fletcher seconded.

Vote for Director Fletcher as Vice Chair; Director Falconer – aye and Director Fletcher – aye.

Vote for Director Hackenberg as Vice Chair, Directors Hackenberg, McGlone and St. Onge – aye.

Director Hackenberg is the Vice Chair.

Director St. Onge called for nominations for Secretary.

Director McGlone nominated Director Hackenberg for Secretary and Director St. Onge seconded.

Director St. Onge nominated Director Falconer for Secretary, who declined as he did not want to do the minutes.

Vote for Director Hackenberg in the position of Secretary; Directors Fletcher and Falconer – nay and Directors Hackenberg, St. Onge and McGlone – yes.

Director Hackenger stated that she would accept the position until one of the others (Fletcher or Falconer) would want it.

Director St. Onge asked is everyone reviewed the minutes?

Director St. Onge called for questions or anything to add for the October 18th meeting?

Director St. Onge stated that the minutes are supposed to be read and the directors should be ready for business when they get here.

Director Hackenberg asked if 'we' are voting on the amendments also?

Director St. Onge stopped this portion of the meeting (approving the October 18th meeting minutes) to go to the Visitors Comments section of the agenda.

Director St. Onge asked, 'did we approve the minutes'?

Director Hackenberg stated no, because 'we have the addendums'.

Approval of July 17th Meeting Minutes Amendment from October 18, 2023 Meeting Minutes

The board decided to throw out the amendment presented for approval. Director St. Onge stated that the words of the minutes cannot be changed.

Director Fletcher stated this amendment is no longer valid as we now need to add Moncia to the bank signature cards.

Approval of October 6 Special Meeting Minutes Amendment from October 18, 2023 Meeting Minutes

Director St. Onge stated that he doesn't remember a motion being made for the amendment. Director Hackenberg stated that there is no need to change the minutes, and would Director Falconer like to rescind his comments; Director Falconer stated no. Director St. Onge stated that the minutes cannot be changed and the amendment for the October 6th Special Meeting is to be removed.

Approval of September 20 Meeting Minutes Amendment and October 18th Meeting Minutes

Director Hackenberg made a motion to approve the amendment of the September 20th meeting minutes and the October 18th meeting minutes; Director Fletcher seconded the motion. No Discussion. All in favor of those present.

Banking Signatures

Director St. Onge stated that we are going to talk about signers: City of Clatskanie has bank specific procedures that don't apply anywhere else. Wauna Credit Union and Umpqua Bank.

Director St. Onge read a statement, stating it is an Oregon state law, that only the treasurer and the chairman are to be signers.

Director Falconer inquired if this was different than how we have been doing things.

Director St. Onge stated that only the chair and the treasurer can sign checks or do transfers.

Director Hackenberg asked if there is a contingency plan.

Director St. Onge stated that in the absence of the chair, the signer would be the vice chair.

Director St. Onge asked Janice Carstensen if she wanted to sign the paperwork to be removed; yes.

Jim Gibson, member of the public, stated that the minutes should reflect who is added and who is removed for the banks.

Director Fletcher made a motion and Director St. Onge seconded that at Wauna Credit Union and Umpqua Bank they are to remove Rick Fletcher, Cyndi Warren, Scott Falconer and Janice Carstensen and they are to add Monica Hackenberg, Jim McGlone and David St. Onge.

Discussion – none.

All in favor of those present.

Financial Reports

Director McGlone has reviewed the checks/bills and Director Fletcher and Director Falconer can sign.

Director Fletcher made a motion to pay the bills and Director Hackenberg seconded.

Discussion –

Director McGlone stated that this building was purchased 6 years ago with a floating interest rate up to 18% and at the end of 15 years is a \$150,000 balloon payment.

The plan at the time of purchase was to refinance.

Director Hackenberg asked, what if we don't have enough money to refinance? Possibly sell.

Director McGlone stated that CemSites is not moving fast enough.

Director McGlone stated that 2 outhouses at \$410/month is being paid and suggested the District get rid of them. After some discussion with the Sexton, it was decided, by a motion made by Director McGlone and seconded by Director Hackenberg, to remove just the one portable restroom at Murray Hill Cemetery.

Director Falconer voted no and Directors Fletcher, McGlone, Hackenberg and St. Onge voted yes.

Cyndi stated that the current invoices state that each portable restroom is \$189 a month.

Office Report

A copy of the office report was provided in the board packets.

Director Fletcher read the office report in Misty's absence at the request of Director St. Onge.

Misty, office manager, also provided a written CemSites Update.

Director St. Onge stated that there needs to be a board workshop to discuss the CemSites update further as he is not happy with how this is going, and it is illegal for the District to paying for something they do not have.

Director Fletcher stated that he would like to give the program the benefit of the doubt that this is still moving forward.

Sexton's Report

Matt stated that there are no concerns at this point.

As far as accomplishments are concerned, he has been extremely busy.

Catching up on leaves, mowing and trimming.

Matt stated that he will be gone for a week in a couple weeks for hunting.

There is a full burial on Friday, and they will dig for it tomorrow.

Matt asked about the 3rd mower and getting it approved for repairs.

Director St. Onge stated that an email was sent with all the info to Clatsop Lawn & Tractor and asked Matt to check on the status of the account.

Director Hackenberg asked how the new form for burials is going? Matt stated that 'she' (Misty) does her stuff in the office and then gives to Matt to verify it is good for a burial; they are having good communication.

Maintenance Report

Safety concern from Director St. Onge:

The pile of boulders stacked in the pull out are creating a safety concern; if someone hits a boulder the District will be responsible. With the fog and rain, it makes this situation more dangerous.

Matt was asked to contact John Marth to find out the cost of moving the boulders.

Director Hackenberg made a motion and Director McGlone seconded that the boulders be moved out of the parking area at Hudson, no discussion; all in favor of those present.

OLD BUSINESS

Duties and Responsibilities of the Board Policy

Director Hackenberg asked for it to be put on the agenda as the first paragraph set her into a spin as it states, 'the formulation and interpretation of.....', and she feels that laws are not to be interpreted.

To save time she would suggest a workshop to get this verbiage corrected.

Director Fletcher suggested you (Monica) make the changes and send out to the board.

Director Hackenberg made a motion for a workshop to discuss Board Duties and other items and

Director McGlone seconded, no discussion; all in favor of those present.

The date for the workshop is to be decided at a later date.

Overtime for Staff

Director Fletcher thanked Director Hackenberg for the info on overtime, and that he misspoke when using 'comp time' and just suggested adjusting the work week when needed to minimize overtime; this will be a workshop item.

Sexton Tablet

Director St. Onge stated that it was not a good report but just a stack of ads.

Director Hackenberg suggested looking at Black Friday sales; we need parameters of what Matt needs. Matt stated that this would be another monthly bill and we don't need another bill. Matt ~~stated~~ **stated** he would like to 'keep using my books'; it is working, and he doesn't feel a tablet is necessary at this time.

There would be an additional license cost to add Matt to CemSites; approximately \$3,500.

Matt stated that they discovered some mistakes when they met with CemSites; they have some graves marked as already sold that are empty, so this will have to be fixed.

Firm for Audit

Director St. Onge stated that he has some names and that it is not cheap. This will be another workshop item.

CemSites Update

Covered previously in the meeting.

NEW BUSINESS

Bonding Insurance

Director Hackenberg stated that in her letter from the County, the ORS states you have to be bonded.

Director Fletcher stated that we (the board) should check with our insurance.

Director St. Onge asked who carries the District's insurance; SDIS and with Chad Womack of Cascade Crest Insurance in Rainier as the agent.

Director Hackenberg will check with Chad.

Background Checks

Director Hackenberg asked about background checks and drug tests and records being kept for ~~board members~~ **employees**.

Cyndi Warren stated that the staff does have background checks, as far as drug testing, it was suggested that the District work with a professional HR person on an employment policy.

Mrs. Sharon Hicks, a member of the public, asked to speak. She stated that she worked for the school district and school bus drivers must be drug tested; teachers and nondriving staff does not have to be drug tested. This will be another workshop item.

Director St. Onge stated that the District is not in compliance with many laws and there is lots of work to do.

Liaison to Office Staff

The maintenance staff has one.

Director St. Onge made a motion/nomination for Monica Hackenberg to be liaison for the office staff.

Director Fletcher stated that the District needs an organizational chart – who reports to who. This will be a priority workshop.

The first workshop will be to set priorities.

Meeting Date

Director St. Onge stated that the middle of the month and approving the bills is too late.

Director St. Onge made a motion to move the meeting to the 1st Wednesday of the month to the pay bills on time; the next meeting will be Wednesday, December 6th and Director McGlone seconded:

Discussion – Kathy Mattinen, a member of the public, stated that the bank statements could be accessed online; all in favor of those present.

Director St. Onge asked that Misty put this information on the website.

RCD Contract with CMW Books LLC (job description and signed contract)

Director St. Onge stated that he has never seen a signed contract, oh wait, I seen one today.

Director McGlone made a motion to give CMW Books 30 days' notice and Director St. Onge seconded.

Director Hackenberg asked if there is a compromise?

Director Fletcher asked why this is coming up and who is going to do what she does?

Director St. Onge stated that he sent out paperwork for review.

Director Fletcher stated that he received it last night and did not have time to review and would like more time.

Discussion:

Director Hackenberg asked if the problem is with power; she has been stripped of the District Manager position. Can she continue in her role to write checks and do the minutes?

Director McGlone stated that his reason is paying the bills late and overdrafts, bills over a month late with funds available.

Janice Carstensen, a member of the public, asked to make a statement – were the funds there to pay the bills and they were paid late?

Director Fletcher asked if you have sat with Cyndi and asked questions as the Treasurer.

Director McGlone stated that he still cannot get on to LGIP account.

Cyndi stated that if any of the current bills are late, this was directly related to the mailbox issue. The motion is to be tabled.

Public Comment:

Kathi Mattinen

This whole budget thing needs to be reviewed; a few community members to work with Jim to review expenses line by line. Has property tax revenue come in? Directors Hackenberg and McGlone stated that they had no idea.

She stated that she didn't think outhouses are needed, except for Memorial Day.

Not getting business done.

Director McGlone stated that it has been 4 months and he still doesn't have access to the bank accounts.

Director Hackenberg stated that there are several faces here who would be good for a budget committee.

Director Fletcher stated that he has a couple of items from Misty regarding forms.

Public Records Requests – who do they go to? Office Manager and then the Secretary.

Director Hackenberg asked how do we access the records? Who is in possession of the records?

It depends on what the records are.

OMCB – Family Signatures

Denise Cullison, a member of the public, stated that she can't do this as she is not licensed, and she will not take this back on. Only 1 out of 6 burials had the required signature of a family member.

Matt stated that he is uncomfortable getting the family's signature.

Director Hackenberg will contact OMCB and/or research online.
Director Fletcher will talk to Misty about this and get more information.

Director St. Onge asked for volunteers for a Budget Committee, however Jim Gibson, member of the public, stated that usually each board member picks an actual budget committee member, so it was renamed Citizen's Review Committee:

Sharon Hicks, Delyla Laughlin, Denise Cullison, Kathi Mattinen and Melanie Miller

Director St. Onge ask if these volunteers need background checks and bonds?

Jim Gibson suggested the board get help from SDAO on policies and procedures.

Director St. Onge left a message for Spencer and he has not returned my call and I am losing confidence.

Director Fletcher stated that Director St. Onge told Spencer Rockwell not to come and Director St. Onge stated that Director Fletcher had no authority to contact him from the board.

Director St. Onge – he would like to bring before the board a meeting with SDAO to get help with some of the issues.

Director Fletcher suggested inviting someone from SDAO to a workshop so that all are involved.

Director St. Onge asked if there was any more public comment?

Janice Carstensen asked that the board keep updating and be an informed board.

Director St. Onge stated that they are going to bring RCD into alignment with state laws.

Meeting adjourned at 7:32pm.

Board approved corrections are in red.

Date: _____
